

## **AMENDMENT TO THE DRAWINGS**

1. In response to drawing objection #1 ("Fig. 7c, an arm with angular curves cannot insert in the internal cylindrically shaped hollow column of the support base"), drawing sheet 5/5 has been replaced with a replacement sheet that includes an amended drawing of Fig. 7c. The amended Fig. 7c drawing shows the attached nail-like head 301 detached from first end 305. Nail-head 301 may be attached after first end 305 is inserted into support base 303. This amended drawing is supported in paragraph 54 and claim 1 in the specification and does not include any new matter.
2. In response to drawing objection #2 ("Fig. 6d, an arm is not the same as shown in Fig. 6e and 6f"), drawing sheet 3/5 has been replaced with a replacement sheet that includes an amended drawing of Fig. 6d. The amended Fig. 6d shows coupling means 77 that uses a telescoping mechanism. This amended drawing is supported by at least paragraphs 48-50, claims 19, 28 and 29, and Figs. 6e and 6f in the specification. This amended drawing does not include any new matter.
3. In response to drawing objection #3 ("no drawings that show an arm with two pieces and first section comprises spiral grooves") see replacement sheet for Fig. 6d and the accompanying explanation above in 2.
4. In response to drawing objection #4 ("no drawings that show an arm with two pieces and having spiral grooves on both ends of a first section") a new sheet containing Figs. 8a and 8b have been included in this amendment. Figures 8a and 8b show spiral grooves on both ends of the first section. Fig. 8a is supported by at least claims 19, 24 and 26 in the specification. Fig. 8b is supported by at least claims 19 - 24 and 26 in the specification. Both Figs. 8a and 8b do not include any new matter.
5. In response to drawing objection #5 ("no drawings that show an arm with two pieces and first section comprises spiral grooves with a coupling means that extends the length of the area in a telescoping manner") see replacement sheet for Fig. 6d and the accompanying explanation above in 2.

6. A new sheet including Fig. 9 is included for clarity. Fig. 9 shows a two piece arm with spiral grooves on the first end of the first second and a hinged coupling means. Fig. 9 also shows a support base with an internal cylindrically shaped hollow column and a nut. Fig. 9 is supported by at least Figs. 4 and 6b, paragraph 46 and claims 19 and 27 in the specification. Fig. 9 does not include any new matter.

## **REMARKS**

### **II. Drawing Objections**

See Amendment to Drawings above in section I.

### **III. Claim Objections**

Examiner has objected to claims 23 and 30. In response, Applicant has amended claims 23 and 30. The changes to these claims are included in section I above and were made to correct typographical errors.

### **IV. Claim Rejection – 35 U.S.C. § 112, Para. 1**

Examiner has rejected claim 25 under 35 U.S.C. § 112 para. 1. With respect to this rejection, Applicant has cancelled claim 25.

### **V. Claim Rejection – 35 U.S.C. § 112, Para. 2**

Examiner has rejected Claims 25, 28 and 29 under 35 U.S.C. § 112 para. 2. With respect to this rejection of claim 25, Applicant has cancelled Claim 25. With respect to this rejection regarding claims 28 and 29, Applicant has amended FIG. 6d and is attached to this amendment as replacement sheet. Additional remarks regarding this replacement sheet are in the Amendment to the Drawing in section 1 above. Amended FIG. 6d is supported by the Applicant's original specification, including claims 28 and 29 and does not constitute new matter. Applicant contends that this rejection is overcome by the submission of amended FIG. 6d.

### **VI. Claim Rejection – 35 U.S.C. § 102(b)**

Examiner has rejected Claim 1 under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 5,594,419 by Lo ("the Lo patent"). Applicant disagrees that Claim 1 is anticipated by the Lo patent because the Lo patent fails to disclose two elements of Claim 1. Lo fails to disclose "a support base having a receiving portion that at least substantially transverses said support

base;" and "an arm having a first end and a second end, a first angle and a second angle, and wherein said first end is inserted into said receiving portion so that it rotatably engages said support base."

With respect to the first element Lo fails to disclose "a support base having a receiving portion that at least substantially transverses said support base;" the base (10) depicted in Figure 1 of Lo does not have a receiving portion that at least substantially transverses said support base. In Claims 1 - 8, Lo specifically teaches that "a hook connected to one side of said base." Thus, Lo does not teach that its hook is or can be inserted into its base as Claim 1 recites in Applicant's application. Moreover, Figure 1 in the Lo patent indicates that inside of the base contains a time piece. The presence of such a time piece does not permit the base to have "a receiving portion that at least substantially transverses said support base" such as is disclosed Figures 7a, 7b, 7c and recited in Claim 1 in the present application.

With respect to the second element that the Lo patent fails to disclose "an arm having a first end and a second end, a first angle and a second angle, and wherein said first end is inserted into said receiving portion so that it rotatably engages said support base", claims 1- 8 of the Lo patent teaches that "a hook connected to one side of said base." Having "a hook connected to one side of said base" is significantly different from being able to insert the first end of the arm "into said receiving portion so that it rotatably engages said support base." As disclosed in Claim 1, Applicant submits that, the arm is "inserted into a receiving portion that at least substantially transverses the support base" in order to provide the invention with enhanced balance and stability when an item such as a purse is attached then it would have if the arm was merely attached to one side. Because of the presence of the time piece the arm in Lo cannot be inserted into the base such that it would substantially transverses the body of the base and because Lo teaches that the arm is "connected to one side of said base" Applicant submits that Lo fails to disclose two elements of Claim 1 and therefore does not anticipate Claim 1 of the present application.

## **VII. CLAIM REJECTION –35 U.S.C. § 103(a)**

Examiner rejected claims 19-30 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 2,473,086 to Montero ("the Montero patent") in view of U.S. Patent No. 5,924,667 to Grahm et al ("the Grahm patent"). Independent claim 19 in the present application is as follows:

19. An accessory hanger for conveniently hanging items from flat surfaces, comprising:

a support base having an internal cylindrically shaped hollow column that at least substantially transverses said support base;

an arm with at least two pieces having a first section and a second section, wherein said first section having a first end and a second end and said second section has a first end and a second end;

said first end of said first section further comprises spiral grooves and is inserted into said hollow column so that it rotatably engages said support base and wherein said second end of said first section further comprises part of a coupling means that engages and secures said first section to said second section;

said first end of said second section further comprises another part of said coupling means that engages and secures said second section to said first section; and

an attachment means that engages and secures said first end of said first section to said support base.

First, with respect to independent claim 19, the Montero patent fails to disclose at least two elements of claim 19. These elements include "a support base having an internal cylindrically shaped hollow column that at least substantially transverses said support base;" and "said first end of said first section further comprises spiral grooves and is inserted into said hollow column so that it rotatably engages said support base". Although, Examiner cites the Grahm patent as disclosing "an arm with spiral grooves that rotatably secures a first end

of a first section", and there is no teaching to modify "the first end of a first section of Montero with spiral grooves on a first end along with grooves in a hollow column of a support base..." as Examiner indicates. OA pg. 6. On the contrary, hook 11 in the Montero patent is specifically design with hinge 15 (Figure 4). "The hinge 15 is so made that it will permit folding of hook 11 only in the counter-clockwise direction from the load-carrying position shown in Fig. 1, but will not permit folding clockwise." Col. 2, lines 17-20 Montero. Hinge 15 allows the hook to be folded in a horizontal manner on top of the base. Because hook 11 is attached to the top of the base and when folded rests on top of the base it would be contrary to the Montero teaching to modify the portion of the hook that is attached to the base by adding "spiral grooves."

Similarly, it would be contrary to the design of the Montero holder to modify the base so that it has "grooves in a hollow column of the support base as taught by Grahn" as Examiner indicates because such a modification would not permit the hook to be folded counterclockwise on top of the base. Hinge 15 in the Montero patent is also essential in providing adjustability for various surface configurations as shown in Figure 1 – 3. Examiner's assertion that it would have been obvious to one of ordinary skill in the art to have modified the hook in Montero with spiral grooves on a first end and to also modify the base to add grooves in a hollow column so that the hook can be rotatably inserted into the base as it recited in Claim 19 is contrary to the teachings in Montero and therefore would not be desirable to make such a modification to Montero.

Second, Examiner's suggestion that the Montero patent can be modified to include missing elements of Claim 19 such as "a support base having an internal cylindrically shaped hollow column that at least substantially transverses said support base" and "said first end of said first section further comprises spiral grooves and is inserted into said

hollow column so that it rotatably engages said support base" would impermissibly require the substantial reconstruction of the holder disclosed in the Montero patent.

Third, the Grahm patent discloses a block and a rod mounted to be slideable in the block. The rod is inserted into the block vertically so that the portion of the rod with grooves is inserted to the block perpendicular to the block. In contrast, Claim 19 requires that "said first end of said first section" to be inserted into the hollow column of the support base and this can only be accomplished by inserted said first end into the hollow column horizontally, not perpendicular to the base. Therefore, for the foregoing reasons, the suggested modifications to the Montero patent in view of the Grahm patent does not yield the invention recited in Claim 19 of the present application.

The rejection of claims 19-30 are based upon picking and choosing parts of the Montero and Grahm patent and combining and/or modifying them using impermissible hindsight of Applicant's invention. Thus, Claim 19 is not met by the Montero or Grahm patents, taken alone or considered in combination.

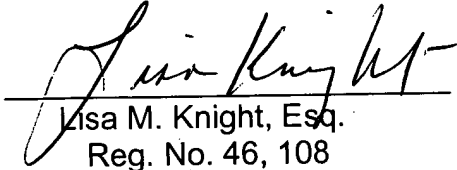
Claims 20-24, 26-30 are dependent on Claim 19, and therefore, contain all the limitations of that claim. Thus, Claims 20-24, 26-30 are patentable for the same reasons set forth with respect to Claim 19. Claim 25 has been cancelled.

Since the Montero and Grahm patents do not render Claims 19-24, 26-30 unpatentable alone or in combination, Applicant respectfully submit that the rejections thereof be withdrawn by the Examiner.

## VIII. Conclusion

Applicant respectfully submits that this application is in condition for allowance and request that a timely Notice of Allowance is issued in this case.

Respectfully Submitted,  
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